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TO:	U.S. Patent and Trademark Office and Examiner Mike Tomaszewski	
FROM:	George F. Wheeler, Reg. No. 28,766	USER ID:
DATE:	June 6, 2006	
FAX NO.:	(571) 273-8300 and (571) 273-8117	
CLIENT:	2018	
MATTER:	14969US01	

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**Message:**

I hereby certify that the attached Applicant Initiated Interview Request Form is being facsimile transmitted to the U.S. Patent and Trademark Office on June 6, 2006.

  
George F. Wheeler, Reg. No. 28,766

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## Applicant Initiated Interview Request Form

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Application No.: 10/679,749 First Named Applicant: Geoffrey Flagstad  
Examiner: Tomaszewski, M. Art Unit: 3626 Status of Application: Pending

JUN 06 2006

## Tentative Participants:

(1) Joseph Thomas (SPE)(2) George Wheeler (Applicant's Attorney)(3) Ex. Mike Tomaszewski

(4) \_\_\_\_\_

Proposed Date of Interview: 06/08/2006Proposed Time: 11 (EDT) (AM ☒/PM ☐)

## Type of Interview Requested:

(1) ☒ Telephonic(2) ☐ Personal(3) ☐ Video ConferenceExhibit To Be Shown or Demonstrated: ☒ YES ☐ NOIf yes, provide brief description: Proposed claim amendments

## Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>§ 102, 103</u>	<u>1, 19, 30</u>	<u>Segal et al.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

## Brief Description of Arguments to be Presented:

Claims as proposed to be amended (per continuation sheet) overcome Segal et al. and are allowable. The claims make clear that a third-party service provider, not a physician or patient, induces the patient to obtain medical records. This addresses part 6A, third through fifth paragraphs of the Office action.

An interview was conducted on the above-identified application on \_\_\_\_\_

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

George F. Wheeler

Typed/Printed Name of Applicant or Representative

28.766

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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10/679,749 Ind. Claims as proposed for interview June 8, 2006

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1. (Proposed Amendment) A method for a service provider to obtain a medical record of ~~a patient~~ from a covered entity in a form allowing ~~quick disclosure of said service provider to quickly disclose~~ said medical record to a third party without restriction by the Health Insurance Portability and Accountability Act of 1996, the method comprising:

A. a service provider that is not the patient or a covered entity, inducing said patient to obtain possession of a said medical record ~~of said patient~~ from a covered entity;

B. said service provider acquiring said medical record from said patient in a storage format; and

C. said service provider storing said medical record in a memory in a form from which ~~it~~ said medical record can be reproduced in said storage format.

19. (Proposed Amendment) A method to induce conversion of a medical record of a patient from a covered entity to a form allowing quick disclosure of said medical record to a third party without restriction by the Health Insurance Portability and Accountability Act of 1996, the method comprising:

A. a service provider that is not the patient or a covered entity, inducing said patient to obtain possession of a said medical record ~~of said patient~~ from a covered entity;

B. said service provider inducing said patient to convert said medical record into a storage format; and

C. said service provider inducing said patient to store said medical record in a memory in said storage format.

30. (Proposed Amendment) A medical and personal information system for obtaining and storing a medical record of a patient from a covered entity in a form allowing quick disclosure of said medical record to a third party without restriction by the Health Insurance Portability and Accountability Act of 1996, the system comprising:

A. a communication interface provided at least in part by a service provider that is not the patient or a covered entity, said interface being adapted for inducing said patient to obtain possession of ~~a~~ said medical record of said patient from a covered entity; and ~~a~~ data

B. a data storage device provided at least in part by a service provider that is not the patient or a covered entity, said storage device comprising a memory adapted for storing said medical record in a form from which it can be reproduced in a storage format.